

**4855. Adulteration and misbranding of black pepper. U. S. \* \* \* v. 95 Boxes of Ground Black Pepper. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 6504. I. S. No. 12000-k. S. No. C-213.)**

On or about May 5, 1915, the United States attorney for the Eastern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 95 boxes, more or less, of ground black pepper remaining unsold in the original unbroken packages at Beaumont, Tex., alleging that the article had been shipped by the Thomson & Taylor Spice Co., Chicago, Ill., and transported from the State of Illinois into the State of Texas, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled: "Regro Brand. Strictly Pure Pepper Packed for the T. S. Reed Grocery Company, Beaumont, Texas."

Adulteration of the article was alleged in the libel for the reason that pepper shells had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for the ground black pepper.

Misbranding was alleged for the reason that each of the boxes was labeled and branded "Regro Brand. Strictly Pure Pepper Packed for the T. S. Reed Grocery Company, Beaumont, Texas," when, in truth and in fact, the boxes did not contain strictly pure pepper, but the article consisted largely of pepper shells added to the said ground black pepper, and the label was therefore false and misleading. It was further alleged that the article was falsely branded for the reason that it was branded "Strictly Pure Pepper," when, in truth and in fact, it was an imitation of strictly pure pepper; and in that the label "Strictly Pure Pepper" was intended to deceive and mislead the purchaser for the reason that the article was not strictly pure pepper, but was a product, to which had been added pepper shells.

On April 20, 1916, the said Thomson & Taylor Spice Co., claimant, having filed its answer and claim, admitting the allegations in the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant for reshipment to its place of business in Chicago, Ill., the costs of the proceedings having been paid by it, and bond in the sum of \$500 having been tendered by it, in conformity with section 10 of the act.

CARL VROOMAN, *Acting Secretary of Agriculture.*